

Notice of Default Page 1 of 2
 Russell Shirts Washington County Recorder
 11/03/2009 03:38:01 PM Fee \$12.00 By SSPAR

WHEN RECORDED, MAIL TO:

Derek E. Anderson
 Stucki Steele Pia Anderson & Rencher
 299 S. Main Street, Suite 2200
 Salt Lake City, Utah 84111
 (801) 961-1300

Parcel No. W-5-2-34-211, W-5-2-34-212

NOTICE OF DEFAULT AND ELECTION TO SELL**NOTICE IS HEREBY GIVEN:**

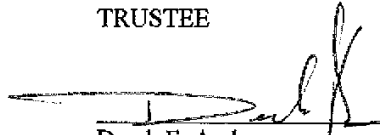
That DEREK E. ANDERSON, Successor Trustee, gives notice of default under that certain Construction Deed of Trust, dated February 3, 2006, executed by DAYBREAK DEVELOPMENT GROUP, LLC, a Utah limited liability company, as Trustor, in favor of FIRST COMMUNITY BANK, as Beneficiary, and FIRST COMMUNITY BANK as Trustee (the "Trust Deed") and filed for recording on November 2, 2009 as Entry No. 10090041891 of Official Records of Washington County, Utah. The real property encumbered by the Trust Deed ("Trust Property") is more particularly described as in Exhibit A.

The Trust Deed secures obligations to Beneficiary including that certain Promissory Note, dated February 2, 2006 in the original principal amount of \$4,387,500.00, which was subsequently replaced by that certain Promissory Note, dated June 26, 2008 in the original principal amount of \$3,963,376.77 (the "Note"). A default of the obligations under the Note has occurred, in that payments required by the Note have not been paid, plus all amounts which hereafter become due and payable, including any additional payments, interest, late fees, hazard insurance, property taxes, trustee's and attorneys' fees, and expenses (the "Obligations"). A full itemization of the Obligations may be obtained from Derek E. Anderson at the above address and telephone number.

By reason of such default, the Trustee does hereby declare all sums secured by the Trust Deed immediately due and payable and elects to cause the Trust Property to be sold, pursuant to the Trust Deed and the laws of the State of Utah, to satisfy the Obligations.

DATED this 3 day of November, 2009.

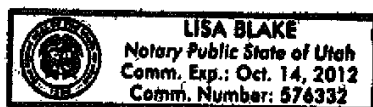
TRUSTEE

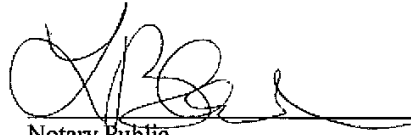


 Derek E. Anderson
 (801) 961-1300 (M-F 8:00 a.m. – 5:00 p.m.)

STATE OF UTAH)
 : ss
 COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 3 day of November, 2009, by Derek E. Anderson.





 Notary Public

Exhibit "A"

Those parcels as described in Book 1254, at Pages, 762-763, in the records of Washington County, being located in the Southeast Quarter (SE1/4) of Section 34, Township 42 South, Range 15 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point located South 0°08'57" West along the Section line 16.50 feet and North 89°16'03" West 16.50 feet from the East Quarter Corner of Section 34, Township 42 South, Range 15 west, Salt Lake Base and Meridian, and running thence South 0°08'57" West 1251.03 feet; thence North 89°17'39" West 647.24 feet; thence North 0°14'41" East 1251.31 feet; thence South 89°16'03" East 645.16 feet to the point of beginning.

Tax I.D. Parcel # 1 W-5-2-34-211
Parcel # 2 W-5-2-34-212